



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:) Confirmation No. 8953
Brigitte Bathe, et al.)
App. No.: 09/942,935) Examiner: Kathleen Kerr
Filed: August 31, 2001) Group Art Unit: 1652

For: NUCLEOTIDE SEQUENCES CODING FOR THE sigM GENE

AMENDMENT SUBMITTED WITH RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A response to the Office Action dated July 1, 2004 was due by October 1, 2004. An Amendment under 37 C.F.R. § 1.116 was filed on September 22, 2004. In response, an Advisory Action dated September 29, 2004 was issued indicating that the September 22, 2004 Amendment would not be entered. Hence, Applicants file this Amendment along with a Request for Continued Examination (RCE). A Petition for Extension of Time (one month, large entity) is enclosed, extending the response due date to November 1, 2004.

Please accept this Amendment and RCE as timely filed and fully responsive.

In response to the Office Action dated July 1, 2004, kindly amend the above-identified patent application as follows.

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